

9437. Adulteration of self-rising and phosphated flour. U. S. v. 142 Bags of Self-Rising Flour and 1,598 Bags of Phosphated Flour. Consent decree of condemnation. Products ordered released under bond. (F. D. C. No. 19229. Sample Nos. 1622-H, 1623-H, 1714-H.)

LABEL FILED: March 1, 1946, Northern District of Georgia.

ALLEGED SHIPMENT: On or about November 2 and 8 and December 6, 1945, from Nashville, Tenn., and Louisville, Ky.

PRODUCT: 142 50-pound bags of self-rising flour and 1,598 10-pound bags of phosphated flour at Atlanta, Ga., in the possession of the Ballard and Ballard Co., Inc., Warehouse. The products were stored under insanitary conditions after shipment. Some of the bags were rodent-gnawed, and rodent urine was observed on them. Examination showed that the products were contaminated with rodent urine.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the articles consisted in whole or in part of filthy substances; and, Section 402 (a) (4), they had been held under insanitary conditions whereby they may have become contaminated with filth.

DISPOSITION: March 15, 1946. The Ballard and Ballard Co., Inc., Louisville, Ky., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the products were ordered released under bond, conditioned that the unfit portion be segregated and converted into stock feed, under the supervision of the Federal Security Agency.

9438. Adulteration of self-rising and plain flour. U. S. v. 246 Bags of Plain Flour and 1,916 Bags of Self-Rising Flour. Consent decree of condemnation. Product ordered released under bond. (F. D. C. No. 19089. Sample Nos. 1506-H to 1514-H, Incl.)

LABEL FILED: February 6, 1946, Middle District of Georgia.

ALLEGED SHIPMENT: Between the approximate dates of September 27 and December 6, 1945, from Richmond, Va., Hopkinsville, Ky., and Wichita, Kans.

PRODUCT: 1,782 25-pound bags and 134 10-pound bags of self-rising flour, and 119 25-pound bags and 127 10-pound bags of plain flour at Albany, Ga., in the possession of the C. D. Kenny Division, Consolidated Grocers Corporation. The product was stored under insanitary conditions after shipment. Some of the bags were rodent-gnawed, and rodent excreta and urine stains were observed on them. Examination showed that the product was contaminated with urine.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a filthy substance; and, Section 402 (a) (4) it had been held under insanitary conditions whereby it may have become contaminated with filth.

DISPOSITION: February 13, 1946. The C. D. Kenny Division, Consolidated Grocers Corporation, claimant, having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered released under bond, conditioned that the unfit portion be denatured and converted into stock feed, under the supervision of the Food and Drug Administration.

9439. Adulteration of self-rising flour and plain flour. U. S. v. 845 Bags of Self-Rising Flour and 110 Bags of Plain Flour. Default decrees of condemnation. Self-rising flour ordered delivered to a public institution; plain flour ordered destroyed. (F. D. C. Nos. 16895, 16995. Sample Nos. 24498-H, 29656-H, 29657-H.)

LABELS FILED: August 8, 1945, Southern District of California, and on or about August 14, 1945, Southern District of Alabama.

ALLEGED SHIPMENT: On or about April 17 and May 28 by the Crown Mills, from Portland, Oreg.

PRODUCT: 845 25-pound bags of self-rising flour at Mobile, Ala., and 110 50-pound bags of plain flour at Eureka, Calif.

LABEL, IN PART: "Atlantic Queen Self-Rising Flour," "Crown Best Patent Bleached Flour," or "Kitchen Queen Hard Wheat Family Flour Bleached."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the articles consisted in whole or in part of filthy substances by reason of the presence of weevils and larvae in the Mobile lot and of larvae and rodent excreta in the Eureka lot.

DISPOSITION: October 29, 1945, and January 2, 1946. No claimant having appeared, judgments of condemnation were entered and the Mobile lot was

ordered delivered to a public institution. The Eureka lot was ordered destroyed.

9440. Adulteration of soy flour. U. S. v. 146 Bags and 40 Bags of Soy Flour. Decrees of condemnation. Portion of product ordered released under bond; remainder ordered destroyed. (F. D. C. Nos. 17514, 17952. Sample Nos. 31598-H, 43427-H.)

LIBELS FILED: October 16, 1945, and February 18, 1946, Southern District of California.

ALLEGED SHIPMENT: On or about April 20, May 7, and September 27, 1945, by the Central Soya Co., Inc., from Fort Wayne, Ind.

PRODUCT: 186 100-pound bags of soy flour at Los Angeles, Calif.

LABEL, IN PART: "Soy Flour Hi-Soy."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a filthy substance by reason of the presence of larvae, insect parts, moths, and rodent hairs.

DISPOSITION: On November 20, 1945, no claimant having appeared for the 40-bag lot, judgment of condemnation was entered and the product was ordered destroyed. On March 6, 1946, the Central Soya Co., Inc., claimant, having consented to the entry of a decree, the 146-bag lot was ordered condemned and released under bond for conversion into stock feed under the supervision of the Federal Security Agency.

9441. Adulteration of soy flour. U. S. v. 94 Bags of Soy Flour. Consent decree of condemnation. Product ordered released under bond. (F. D. C. No. 19275. Sample No. 9831-H.)

LIBEL FILED: March 1, 1946, Western District of New York.

ALLEGED SHIPMENT: On or about January 11, 1946, from Decatur, Ill.

PRODUCT: 94 100-pound bags of soy flour at Buffalo, N. Y., in the possession of the Terminal and Transportation Warehouse. The product was stored under insanitary conditions after shipment. Some of the bags were rodent-gnawed, and rodent excreta and urine stains were observed on them. Examination showed that the article contained rodent excreta.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a filthy substance; and, Section 402 (a) (4), it had been held under insanitary conditions whereby it may have become contaminated with filth.

DISPOSITION: March 14, 1945. Spencer Kellogg and Sons, Inc., Decatur, Ill., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered released under bond, conditioned that it be disposed of as animal or poultry feed, under the supervision of the Food and Drug Administration.

9442. Adulteration of whole wheat flour. U. S. v. 14 Bags of Whole Wheat Flour. Default decree of condemnation. Product ordered delivered to a public institution. (F. D. C. No. 17591. Sample No. 4852-H.)

LIBEL FILED: September 20, 1945, Eastern District of Pennsylvania.

ALLEGED SHIPMENT: On or about May 17 and July 3, 1945, by the Fingerlakes and Hudson Flour Mills, Inc., from Geneva, N. Y.

PRODUCT: 14 100-pound bags of whole wheat flour at Philadelphia, Pa.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a filthy substance by reason of the presence of weevils and larvae.

DISPOSITION: January 10, 1946. No claimant having appeared, judgment of condemnation was entered and the product was ordered delivered to a public institution, for use as stock feed.

9443. Adulteration of whole wheat flour and grits. U. S. v. 16 Bags of Whole Wheat Flour and 64 Bags of Grits. Consent decrees of condemnation. Products ordered delivered to a State institution. (F. D. C. Nos. 18324, 18333. Sample Nos. 4766-H, 4767-H.)

LIBELS FILED: November 6 and 7, 1945, District of Delaware.

ALLEGED SHIPMENT: Between the approximate dates of June 25 and July 26, 1945, by Francis E. Maser, from New York, N. Y., and Paterson, N. J.